UNITED STATES PATENT AND TRADEMARK OFFICE

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BANNER & WITCOFF	BONSHOCK, DENNIS G

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE $\underline{3}$ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 November 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper/Mail Date _____.

4) ☒ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. 17 November 2005

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Final Rejection

Response to Amendment

1.   It is hereby acknowledged that the following papers have been received and

placed on record in the file: Amendment as received on 11-28-2005.

2.   Claims 1-37 have been examined.

Status of Claims:

3.   Claims 1, 3-8, 11-13, 24-27, 29-32, and 35-37 are rejected under 35 U.S.C.

103(a) as being unpatentable over "Serandom Screensaver Manager" and "Drempels".

4.   Claims 2, 9, 10, 14-23, 28, 33, and 34 are rejected under 35 U.S.C. 103(a) as

being unpatentable over "Serandom Screensaver Manager" and "Drempels" as applied

to claims 1, 24, and 29 above, and further in view of U.S. Patent No. 6,507,351 (Bixler).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 3-8, 11-13, 24-27, 29-32, and 35-37 are rejected under 35 U.S.C.

103(a) as being unpatentable over "Serandom Screensaver Manager" and "Drempels".

7.   Referring to claim 1, the prior art of record provides numerous details regarding

constructing, installing, and utilizing screensavers. It should first go without saying that

screensavers are notoriously well known in the state of the art and are always

implemented in an apparatus comprising at least a storage medium and a processor. A

screensaver program, for purposes of this rejection, is a program that manages one or

more screensavers stored in the storage medium. It should further be noted that a

screensaver is merely an application that is adapted to conform to certain screensaver

standards determined by the operating system developers. The "Serandom

Screensaver Manager" (hereinafter "Serandom") provides an example of one particular

screensaver program. Serandom teaches on page 1 that screensavers can be

organized via the screensaver program into different collections or carousels. The

screenshot on page 2 shows how screensaver handles can be added to, removed from,

or rearranged within a carousel. Based on a desired configuration, one or more

screensavers are executed to present images on the display screen after a period of

inactivity that is inherently monitored by the processor. Serandom fails to specifically

disclose a screensaver that is capable of being executed in a less than fully functional

screensaver mode and a fully functional application mode. The "Drempels"

screensaver, however, provides precisely what Serandom fails to teach. Drempels

discloses on page 1 an application that operates in either a desktop mode or a

screensaver mode. In the desktop mode, the application is fully functional and includes

features such as a user-customizable overlay filter color and a suspend feature. In the

screensaver mode, the application is less than fully functional when run as a

screensaver using drempels.scr (a program that is run by a screensaver manager

program, not itself) and operates just like a typical screensaver would, initiating after a

specified amount of time and terminating upon user action on either the mouse or keypad. Furthermore, because the Drempels screensaver application is designed to operate like any other screensaver, it can be easily implemented with the Serandom Screensaver Manager. Upon doing so, the Serandom Screensaver Manager would be started after a period of inactivity, the Drempels screensaver would be executed in a screensaver mode, and images like those shown on pages 2 and 3 of the Drempels reference would be presented on the display screen. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Drempels screensaver in conjunction with the Serandom Screensaver Manager. Doing so would have been advantageous because the Serandom Screensaver Manager allows users to view a plurality of screensavers randomly or in a predetermined sequence instead of just a single screensaver.

8.   Referring to claim 3, the screenshot on page 2 of the Serandom reference teaches a carousel comprising a plurality of application handles that are associated with executing corresponding applications in a screensaver mode.

9.   Referring to claim 4, the Serandom reference discloses in the screenshot on page 2 a plurality of rules for selecting application handles. The handles and corresponding rules are inherently stored in the storage medium. Serandom fails to specifically disclose a database, but the examiner submits that it is notoriously well known in the state of the art that databases are commonly used in processing systems for storing organized sets of data. The examiner takes OFFICIAL NOTICE of this teaching. Accordingly, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to store the rules and application handles in a

database because databases provide efficient storage and retrieval means for

organized sets of data.

10.   Referring to claim 5, the Serandom reference discloses in the screenshot on

page 2 that the rules are definable by a user of the apparatus.

11.   Referring to claim 6, the Serandom reference teaches in the screenshot on page

2 that some rules are selected via radio buttons. One radio button in a set must always

be selected, and when a user first accesses the rules, certain options will already be

selected. Serandom thus teaches that the rules comprise default rules.

12.   Referring to claim 7, Serandom discloses a "Settings" option in the screenshot on

page 2 for accessing execution parameters for each application. The applications are

then executed in a screensaver mode according to these parameters. Said parameters

could inherently be stored in the database discussed above.

13.   Referring to claim 8, the Drempels reference teaches on page 8 that the

application has an additional handle, (i.e. /s /c /y) comprising different execution

parameters.

14.   Referring to claims 11-13, Serandom discloses in the screenshot on page 2

means for executing additional applications like Drempels in a screensaver mode. The

processor executes a plurality of applications in an order determined by the user using

various rules.

15.   Referring to claim 24, as discussed above a screensaver program is a program

that manages one or more screensavers stored in a storage medium, and a

screensaver is merely an application that is adapted to conform to certain screensaver

standards determined by the operating system developers. Serandom teaches on page

1 that screensavers can be organized via the screensaver program into different

collections or carousels. The screenshot on page 2 shows how screensaver handles

can be added to, removed from, or rearranged within a carousel. Based on a desired

configuration, one or more screensavers are executed to present images on the display

screen after a period of inactivity that is inherently monitored by the processor.

Serandom fails to specifically disclose a screensaver that is capable of being executed

in a less than fully functional screensaver mode and a fully functional application mode.

The "Drempels" screensaver, however, provides precisely what Serandom fails to

teach. Drempels discloses on page 1 an application that operates in either a desktop

mode or a screensaver mode. In the desktop mode, the application is fully functional

and includes features such as a user-customizable overlay filter color and a suspend

feature. In the screensaver mode, the application is less than fully functional when run

as a screensaver using drempels.scr (a program that is run by a screensaver manager

program, not itself) and operates just like a typical screensaver would, initiating after a

specified amount of time and terminating upon user action on either the mouse or

keypad. Furthermore, because the Drempels screensaver application is designed to

operate like any other screensaver, it can be easily implemented with the Serandom

Screensaver Manager. Upon doing so, the Serandom Screensaver Manager would be

started after a period of inactivity, the Drempels screensaver would be executed in a

screensaver mode, and images like those shown on pages 2 and 3 of the Drempels

reference would be presented on the display screen. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Drempels screensaver in conjunction with the Serandom Screensaver Manager. Doing so would have been advantageous because the Serandom Screensaver Manager allows users to view a plurality of screensavers randomly or in a predetermined sequence instead of just a single screensaver.

16.   Referring to claim 25, the Drempels application must inherently be installed on the display device and the user can then select an option via the screensaver program to operate the application in the screensaver mode.

17.   Referring to claim 26, the Drempels application can inherently be pre-installed on the device just like any other application. Drempels explains on page 1 that it can be run in a full application mode on the display device. In combination with the Serandom screensaver program, the user would be able to select an option to install the screensaver mode via the interface on page 2 of the Serandom reference.

18.   Referring to claim 27, Serandom discloses in the screenshot on page 2 an interface for scheduling an order and a duration for a plurality of screensavers. During screensaver operation, the display device is monitored for a timeout signal that a particular application has exceeded its allotted duration. Subsequently, the screensaver program will select another application to run in screensaver mode.

19.   Referring to claim 29, Serandom discloses on page 1 a screensaver management program for the Windows 95 operating system. It is a known fact that screensavers in a Windows environment are executed after a determined timeout

period of inactivity has been exceeded. Serandom further teaches on page 1 that

screensavers can be organized via the screensaver program into different collections or

carousels. The screenshot on page 2 shows how screensaver handles can be added

to, removed from, or rearranged within a carousel. Based on a desired configuration,

one or more screensavers are executed to present images on the display screen after a

period of inactivity that is inherently monitored by the processor. Serandom fails to

specifically disclose a screensaver that is capable of being executed in a less than fully

functional screensaver mode and a fully functional application mode. The "Drempels"

screensaver, however, provides precisely what Serandom fails to teach. Drempels

discloses on page 1 an application that operates in either a desktop mode or a

screensaver mode. In the desktop mode, the application is fully functional and includes

features such as a user-customizable overlay filter color and a suspend feature. In the

screensaver mode, the application is less than fully functional when run as a

screensaver using drempels.scr (a program that is run by a screensaver manager

program, not itself) and operates just like a typical screensaver would, initiating after a

specified amount of time and terminating upon user action on either the mouse or

keypad. Furthermore, because the Drempels screensaver application is designed to

operate like any other screensaver, it can be easily implemented with the Serandom

Screensaver Manager. Upon doing so, the Serandom Screensaver Manager would be

started after a period of inactivity, the Drempels screensaver would be executed in a

screensaver mode, and images like those shown on pages 2 and 3 of the Drempels

reference would be presented on the display screen. Accordingly, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to use the

Drempels screensaver in conjunction with the Serandom Screensaver Manager. Doing

so would have been advantageous because the Serandom Screensaver Manager

allows users to view a plurality of screensavers randomly or in a predetermined

sequence instead of just a single screensaver.

20.   Referring to claims 30 and 32, Serandom discloses in the screenshot on page 2

an interface for scheduling an order and a duration for a plurality of different

screensavers. During screensaver operation, the display device is monitored for a

timeout signal that a particular application has exceeded its allotted duration.

Subsequently, the screensaver program will select another application to run in

screensaver mode.

21.   Referring to claim 31, Serandom discloses the computer readable medium of

claim 30 as discussed above but fails to disclose that an application can have two

handles in the carousel representing different screensaver modes. The Drempels

reference, however, teaches on page 8 that the application can have additional handles,

(i.e. /s /c /y) comprising different execution parameters and thus representing different

screensaver modes. The different modes provide different sets of features that the user

may desire at different times. Accordingly, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to include two handles for the

same application as taught by Drempels in combination with the teachings of Serandom

so that users could benefit from all of the features in an application, like those discussed

by the Drempels reference.

22.   Referring to claims 35-37, Drempels explains on page 1 that it can be run in a full

application mode on the display device. In combination with the Serandom screensaver

program, the user would be able to select an option to install the screensaver mode via

the interface on page 2 of the Serandom reference and thereby add an application

handle to the carousel.

23.   Claims 2, 9, 10, 14-23, 28, 33, and 34 are rejected under 35 U.S.C. 103(a) as

being unpatentable over "Serandom Screensaver Manager" and "Drempels" as applied

to claims 1, 24, and 29 above, and further in view of U.S. Patent No. 6,507,351 (Bixler).

24.   Referring to claim 2, Serandom and Drempels fail to disclose that the apparatus

is a wireless communication device. Bixler, though, discloses in column 2: lines 30-58

an apparatus that executes an application in a screensaver mode. The application

accesses local and remote data sources via digital data communication links. Bixler

explains that the apparatus can be implemented as a PDA or a laptop, both of which

must inherently include a receiver for communicating via said digital data

communication links. Bixler further explains in column 3: lines 13-19 that his invention

is advantageous because it provides an "automatic visual reminder to the user of a

computer device to perform various tasks, such as reading e-mail and editing

appointment or "to do lists", and provides a convenient vehicle for performing such

tasks." Bixler also explains in this section that an "additional advantage is that

information from various sources can be combined together for viewing on a single

display "page" or sequentially on a plurality of display pages". Accordingly, it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Bixler with those of Serandom for the advantages

discussed by Bixler.

25.   Referring to claims 9 and 10, Serandom and Drempels fail to disclose that the

apparatus is in communication with a network and it displays current information

generated by the application operating in the screensaver mode based on data received

from the network. Serandom and Drempels also fail to disclose that the images are

continually updated in response to data received from the network. Bixler, however,

discloses in column 3: lines 55-64 an apparatus that is in communication with a network

and displays current information generated by the application operating in a

screensaver mode based on data received from the network. Bixler further discloses in

this section that the images can be continually updated in response to data received

from the network. Bixler explains in column 3: lines 13-19 that his invention is

advantageous because it provides an "automatic visual reminder to the user of a

computer device to perform various tasks, such as reading e-mail and editing

appointment or "to do lists", and provides a convenient vehicle for performing such

tasks." Bixler also explains in this section that an "additional advantage is that

information from various sources can be combined together for viewing on a single

display "page" or sequentially on a plurality of display pages". Accordingly, it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Bixler with those of Serandom and Drempels for the

advantages discussed by Bixler.

26.   Referring to claim 14, as discussed above a screensaver program is a program

that manages one or more screensavers stored in a storage medium, and a

screensaver is merely an application that is adapted to conform to certain screensaver

standards determined by the operating system developers. Serandom teaches on page

1 that screensavers can be organized via the screensaver program into different

collections or carousels. The screenshot on page 2 shows how screensaver handles

can be added to, removed from, or rearranged within a carousel. The screenshot thus

demonstrates at least one application stored in the memory having at least one handle

executing the application in a screensaver mode when the at least one handle is

selected by the screensaver program. The application then creates images for

presentation on the display screen. The screensaver program, furthermore, is

independent from the screensavers. Naturally, the screensaver program is inherently

operated on an apparatus comprising a memory for storing data and a display screen.

Serandom fails to specifically disclose a screensaver that is capable of being executed

in a less than fully functional screensaver mode and a fully functional application mode.

The "Drempels" screensaver, however, provides precisely what Serandom fails to

teach. Drempels discloses on page 1 an application that operates in either a desktop

mode or a screensaver mode. In the desktop mode, the application is fully functional

and includes features such as a user-customizable overlay filter color and a suspend

feature. In the screensaver mode, the application is less than fully functional when run

as a screensaver using drempels.scr (a program that is run by a screensaver manager

program, not itself) and operates just like a typical screensaver would, initiating after a

specified amount of time and terminating upon user action on either the mouse or keypad. Furthermore, because the Drempels screensaver application is designed to operate like any other screensaver, it can be easily implemented with the Serandom Screensaver Manager. Upon doing so, the Serandom Screensaver Manager would be started after a period of inactivity, the Drempels screensaver would be executed in a screensaver mode, and images like those shown on pages 2 and 3 of the Drempels reference would be presented on the display screen. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Drempels screensaver in conjunction with the Serandom Screensaver Manager. Doing so would have been advantageous because the Serandom Screensaver Manager allows users to view a plurality of screensavers randomly or in a predetermined sequence instead of just a single screensaver. The Serandom and Drempels references, however, fail to disclose that the apparatus is a wireless communication device comprising a receiver. Bixler, though, discloses in column 2: lines 30-58 an apparatus that executes an application in a screensaver mode. The application accesses local and remote data sources via digital data communication links. Bixler explains that the apparatus can be implemented as a PDA or a laptop, both of which must inherently include a receiver for communicating via said digital data communication links. Bixler further explains in column 3: lines 13-19 that his invention is advantageous because it provides an "automatic visual reminder to the user of a computer device to perform various tasks, such as reading e-mail and editing appointment or "to do lists", and provides a convenient vehicle for performing such

tasks." Bixler also explains in this section that an "additional advantage is that information from various sources can be combined together for viewing on a single display "page" or sequentially on a plurality of display pages". Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bixler with those of Serandom and Drempels for the advantages discussed by Bixler.

27.   Referring to claim 15, the screenshot on page 2 of the Serandom reference teaches a carousel comprising a plurality of application handles that are associated with executing corresponding applications in a screensaver mode.

28.   Referring to claim 16, the Serandom reference discloses in the screenshot on page 2 a plurality of rules for selecting application handles. The handles and corresponding rules are inherently stored in the storage medium. Serandom fails to specifically disclose a database, but the examiner submits that it is notoriously well known in the state of the art that databases are commonly used in processing systems for storing organized sets of data. The examiner takes OFFICIAL NOTICE of this teaching. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to store the rules and application handles in a database because databases provide efficient storage and retrieval means for organized sets of data.

29.   Referring to claim 17, the Serandom reference discloses in the screenshot on page 2 that the rules are definable by a user of the apparatus.

30.   Referring to claim 18, the Serandom reference teaches in the screenshot on page 2 that some rules are selected via radio buttons. One radio button in a set must always be selected, and when a user first accesses the rules, certain options will already be selected. Serandom thus teaches that the rules comprise default rules.

31.   Referring to claim 19, Serandom discloses a "Settings" option in the screenshot on page 2 for accessing execution parameters for each application. The applications are then executed in a screensaver mode according to these parameters. Said parameters could inherently be stored in the database discussed above.

32.   Referring to claim 20, Bixler teaches in column 11: lines 14-46 that the application has an additional handle comprising different execution parameters.

33.   Referring to claim 21, Bixler discloses in column 3: lines 55-64 an apparatus that is in communication with a network and displays current information generated by the application operating in a screensaver mode based on data received from the network.

34.   Referring to claim 22, Bixler discloses in column 10: lines 14-16 that one of the parameters associated with the network application is a uniform resource locator (URL).

35.   Referring to claim 23, Serandom, Drempels, and Bixler fail to specifically disclose that the application is written in a JAVA programming language. The examiner submits that it is notoriously well known in the state of the art to program applications using a JAVA programming language. JAVA provides a well organized, object-oriented, and well-known language for building applications. The examiner takes OFFICIAL NOTICE of this teaching. Accordingly, it would have been obvious to one of ordinary skill in the

art at the time the invention was made to have written the application in JAVA for the reasons discussed above.

36.   Referring to claim 28, Serandom and Drempels disclose the method of claim 24 as discussed above but fail to disclose determining whether an executed application is an interactive application, and if the executed application is an interactive application, terminating the screensaver program and executing the interactive application in full application mode. Bixler, though, discloses in column 10: lines 33-62 a method for determining whether an executed application is an interactive application, and if the executed application is an interactive application, terminating the screensaver program and executing the interactive application in full application mode. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bixler with those of Serandom and Drempels. Doing so would have been advantageous because users would have benefited from having quick access to the full application features that were not accessible in the screensaver mode.

37.   Referring to claim 33, Serandom and Drempels disclose the computer readable medium of claim 29 as discussed above but fail to disclose determining whether an executed application is an interactive application, and if the executed application is an interactive application, terminating the screensaver program and executing the interactive application in full application mode. Bixler, though, discloses in column 10: lines 33-62 a method for determining whether an executed application is an interactive application, and if the executed application is an interactive application, terminating the screensaver program and executing the interactive application in full application mode.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Bixler with those of Serandom and

Drempels. Doing so would have been advantageous because users would have

benefited from having quick access to the full application features that were not

accessible in the screensaver mode.

38.   Referring to claim 34, as discussed above a screensaver program is a program

that manages one or more screensavers stored in a storage medium, and a

screensaver is merely an application that is adapted to conform to certain screensaver

standards determined by the operating system developers. Serandom teaches on page

1 that screensavers can be organized via the screensaver program into different

collections or carousels. The screenshot on page 2 shows how screensaver handles

can be added to, removed from, or rearranged within a carousel. Based on a desired

configuration, one or more screensavers are executed to present images on the display

screen after a period of inactivity that is inherently monitored by the processor. The

Serandom reference discloses in the screenshot on page 2 a plurality of rules for

selecting the application handles. Serandom next discloses a "Settings" option in the

screenshot on page 2 for accessing execution parameters for each application. The

applications are then executed in a screensaver mode according to these parameters.

Serandom fails to specifically disclose a screensaver that is capable of being executed

in a less than fully functional screensaver mode and a fully functional application mode.

The "Drempels" screensaver, however, provides precisely what Serandom fails to

teach. Drempels discloses on page 1 an application that operates in either a desktop

mode or a screensaver mode. In the desktop mode, the application is fully functional and includes features such as a user-customizable overlay filter color and a suspend feature. In the screensaver mode, the application is less than fully functional when run as a screensaver using drempels.scr (a program that is run by a screensaver manager program, not itself) and operates just like a typical screensaver would, initiating after a specified amount of time and terminating upon user action on either the mouse or keypad. Furthermore, because the Drempels screensaver application is designed to operate like any other screensaver, it can be easily implemented with the Serandom Screensaver Manager. Upon doing so, the Serandom Screensaver Manager would be started after a period of inactivity, the Drempels screensaver would be executed in a screensaver mode, and images like those shown on pages 2 and 3 of the Drempels reference would be presented on the display screen. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Drempels screensaver in conjunction with the Serandom Screensaver Manager. Doing so would have been advantageous because the Serandom Screensaver Manager allows users to view a plurality of screensavers randomly or in a predetermined sequence instead of just a single screensaver. Serandom and Drempels fail to disclose determining whether an executed application is an interactive application, and if the executed application is an interactive application, terminating the screensaver program and executing the interactive application in full application mode. Bixler, though, discloses in column 10: lines 33-62 a method for determining whether an executed application is an interactive application, and if the executed application is an interactive

application, terminating the screensaver program and executing the interactive

application in full application mode. Accordingly, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to combine the teachings of

Bixler with those of Serandom and Drempels. Doing so would have been advantageous

because users would have benefited from having quick access to the full application

features that were not accessible in the screensaver mode.

Response to Arguments

39.   The arguments filed on 11-28-2005 have been fully considered but they are not

persuasive. Reasons set forth below.

40.   The applicants' argue that Drempels fails to disclose the recited subject matter of

these claims pertaining to an application that is fully functional in a full application mode

and that is less than fully functional in a screensaver mode.

41.   In response, the examiner respectfully submits that Drempels teaches, on pages

5-7, an implementation of the program in both "background mode" / "desktop mode" and

in "screensaver mode" / "full screen mode" where when the selected executable (.exe.)

for each respective mode is run the modes have the selected functionality (further see

page 8). Drempels further teaches an embodiment where the screen save can be

implemented as a "drempels.scr" (see page 8), which is known in the art to be a

standard screensaver file run by a Windows™ screensaver manager application, which

implements the screensaver under control of the screensaver manager application

(such as the screensaver manager application of Serandom). Screensavers run by

screensaver managers such as the standard one implemented by Windows™, and that

of Serandom, are notoriously known in the art to initiate a screensaver when no action

is taken via keypad/mouse for a specified period of time, and when the screensaver is

being displayed, it is terminated upon user action via a keypad/mouse. Therefore when

drempels.scr is run by a manager program and not its own executable ("drempels.exe

/s") any attempt at a function (such as those on page 7) while running will terminate the

screensaver, leaving "drempels.scr" with less than full functionality.

Conclusion

42.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

43.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

44.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dennis G. Bonshock whose telephone number is (571)

272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00

p.m.

45.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

46.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

2-7-06
dgb

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173